

REMARKS

The "use" claims have been converted to method claims.

No new matter has been added.

Upon entry of the Amendment, claims 1-4 will be pending.

Claims 1-4 are directed to a method of treating beta thalassaemia.

The Examiner asserts that according to PCT Rule 13.2, unity of invention exists only when the shared or corresponding technical feature is a contribution over the prior art.

The Examiner takes the position that the claimed invention does not make a contribution over the prior art.

Applicants respectfully disagree with the Examiner. Applicants submit that the claims are directed to a novel and non-obvious method of using compounds of rapamycin or structural analogues thereof. Applicants have found that compounds of rapamycin or structural analogues thereof are capable of inducing erythroid differentiation. This renders compounds of rapamycin or structural analogues thereof suitable for use in the treatment of beta-thalassemia. Applicants submit that a method of treating beta-thalassemia using a pharmaceutically effective amount of rapamycin or a structural analogue thereof is neither disclosed or suggested by the prior art and thus is a contribution over the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Appln. No.: 10/519,990
Amendment

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

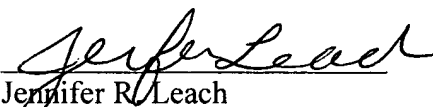
Respectfully submitted,

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